Preserve

App. F. IX-4

**1932**

**File No.** 199-32

**Serial Nos.** 16, 16, 18

*Previous References*
L B 114-29 Rs 5 & 6.
L B 25-26-36
L B 34-30 Rs 11 & 14
L B 34-30 Rs 5, 6 & 13.

~~*Later References*~~ L B 34-30 Rs 14, 22, 25, 29 & 32
L B 34-32 Rs 16 & 18
L B 184-29 Rs 18, 26, 29, 30 & 31
M L 117-24 Rs 24, 30 & 31

Later Refers

L B 34-35 Rs 14 & 23, 29, 33, 35, 38 & 39.

# GENERAL AND REVENUE SECRETARIAT

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*Serial Nos.* Three

**Part B for** 3rd/4/33

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**SUBJECT.**

Modification the rules for regulating the election of Presidents & Vice-Presidents of District Boards

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Sd 6/8

To the Compiler Myore Gaz
L 184 of 8-7-33
Notifies the above.

2-8-33

General and Revenue Secretariat | L-B File No. 199 of 1933 | [App. F. III—2

| Serial No. | |
|---|---|
| 16 | From<br>The D. C. Hassan District<br>No. A 2-710 dated the 4th June 1933<br>Requests clear instructions being given<br>as to whether it is the D.C. that<br>should preside at the meeting held<br>for the purpose of the election of the<br>vice President or the reconstitution of<br>the District Board or whether the<br>President can preside over such meetings<br>if he has entered on his duties as such.<br>The previous files in which<br>the rules framed in this behalf have<br>been vetted upon & approved are put<br>up.<br>2. Almost a similar question had<br>May 7 been raised by the D.C. Chitaldrug in<br>April 1930, Rule 4 of the rules in<br>question was amended by inserting the<br>word "Except in cases falling under sec<br>17(2) of the Regn". The D.C. Hassan<br>considers that the rule in the point is<br>not still clear.<br>3. There seems to be some force<br>in the contention put forward by the<br>D.C. He seems to consider that in cases<br>where the President is already elected<br>and has entered upon his duties, the function<br>of presiding over meetings convened for the |

NOTE—Contn. Sheet.

Serial No.

the meeting, except in cases falling under sec 17(2). This means that though there is a duly appointed President, the presiding authority at a meeting held for the election of a Vice President is not to be the President. This is inconsistent with sec 19(a) of the Dt Bd Regn under which it is the President that can alone preside at the meetings of the Board.

8 Rule 4 may therefore be amended as follows

10 "The members present shall, if the President be absent, select for the purpose of presiding at the meeting one from among themselves, who is not a candidate"

11 It is not necessary to except cases falling under sec 17(2), because in such cases the D.C as President will be present & rule 4 does not therefore apply.

9 Rule 3 of the Election Rules (F.W.) which requires the D.C. to fix the date of the meeting for the election of a V.P. would be all right when the election is to take place after the reconstitution, since it is perhaps the D.C. that will be the president then under sec 17(2). In other cases, this is to be done by the President under sec 29(2)(a) of the Dt Bd Regn. Rule 3 may perhaps be modified by substituting the words "the D.C. when he is the President under sec 17(2) of the Dt Bd Regn or the President of such Board" for the words "the Deputy Com^r"

Asst Secy to Govt with Compts

21/6/33

NOTE—Contn. Sheet.

Sch. V 114

General and Revenue Secretariat | File No. 195 of 1932 | [App. F. III—2

Serial No.

and suggest that the President may be authorized to fix the date of presidential election.

(16) Govt. Secretary's order" I believe this has been worked up. How does this stand?"
(Initd) S.N.R. 5/7.

(17) Submitted with the previous papers on the subject.

5/7 (Initd) (Secl Secy) 6/7

18 The Second Member wanted to know the practice actually obtaining in regard to the Vice President's election.

19 The Collections put up show that the practice is not uniform as the Officer presiding at the elections. While files flagged E & F show that Rule 4 was followed, the files flagged G-H-I show that it was not. As regards observance of Rule 3, the files show that in Shimoga & Hassan (Flags J & K) the D.C. presided over the meeting. The other files are silent on the point.

6/7

Until this question of electing the Vice President is finally decided by the Govt. we should be asked to follow the practice that was observed on previous occasions in the several Dists.

6/7

18. Member

20 When the elected President has completed his duties, he should preside at all meetings including a meeting to elect the V.P. (any rule preventing this would be considered as contravening the Regn). Action may be taken accordingly & immediate steps taken to amend the rules

7/7

by 23 Super
7/7/32 Draft/Secl

OFFICE OF THE COUNCIL
FIRST BRANCH
JULY 1933
176

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

General and Revenue Secretariat — File No. L/S/199 of 1932-33

5616 V 114 L

Serial No. 70

18

The Compilation Mysore Gazette No 2184 dated 8.7.33 notifies certain amendments to rules 3 24 & 29 of the rules relating to the election of Presidents & Vice Presidents of Dist Boards.—

20

The D.C.s & Presidents of Dist Boards No L 185—200 dt 8.7.33 forwards copies of above for information

30 Issued & resubmitted.

Sd/-
10/7/33

It does not seem necessary to submit this file to the Dewan. It will be seen that the rules of the notifns of 27.1.27 & 25.4.31 were not called for them.

Sec'y 10/7

Sd/- 11/7

GENERAL SECRETARIAT 11 JULY 1933

Records Sec. 11/7/33

85

Sd/- 17.7.33

L/S 32-30 No C 12 to 19 taken for diary No 786 on 20.7.33

NOTE—Contn. Shee

5616

L B 199-32-16

No A.2-710

Office of the Deputy Commissioner &
President, District Board,
Hassan, Dated 4th June 1933.

From

The Deputy Commissioner &
President, District Board, Hassan.

To

The General Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore.

Sir,

Adverting to Rule 4 of the Rules issued under Government notification No.L. 4586/L.B. 25-26-36, dated 17th January 1927, as amended by notification No.L. 7719/L.B. 114-29-6, dated 25th April 1930, regulating the election of Presidents and Vice Presidents of District Boards, I have the honor to submit that Rule 4 referred to does not make it distinctly clear as to who should preside at the meeting convened for the election of a Vice President on the reconstitution of the District Board.

While Rule 3 (1) of the Rules issued in this behalf makes it imperative on the Deputy Commissioner to fix the date of the election of the Vice President, section 19 of the District Board Regulation lays down that the President shall preside at the meetings of the District Board.

I take it however, that section 19 of the District Boards Regulation has reference to the meetings of the District Board convened by the President as distinct from the meetings convened for the purpose of holding

L.S.

L B 3 1992-33 17 114

D. O. No. 3/33-34

Office of the President, District Board,
Dated: Chitaldrug 4th July 1933.

Dear Sir,

I write to bring to your kind notice that the rule 3 (1) of the rules for regulating the election of Presidents and Vice Presidents of District Boards issued under Notification No. L. 4586 L.B. 25-26-36 dated 17th January 1927 requires that the Deputy Commissioner should fix the date and give notice of the special meeting for the election of the Vice President. As there will be already the President - - elected or otherwise in the office, it is not clear why the Deputy Commissioner is required to fix the date and give notice of the special meeting.

I therefore suggest that the President may himself be left to fix the date and give notice of the meeting, which I think is the correct procedure.

I may be permitted to point out in this connection that a copy of the agenda of every meeting of the District Board is forwarded to the Deputy Commissioner and therefore he is also kept informed of the

GEN. & REV. SECTION
5 JULY 1933
L. B. G. BANGALORE

Again rule 4 of the same rules requires that excepting in cases falling under section 17 (2) of the District Boards' Regulation, the members present shall select some one to preside at such meeting. It is not known why some one should preside when the President is already there and it is not at all likely that he will be a candidate for Vice Presidentship.

Section 19 (a) of the District Boards' Regulation provides that the President shall preside at the meetings of the Board and as such the rule as framed seems to contravene this section. Probably, the rule applies only to cases when there will be no President or when the President is not present.

I therefore request you to kindly place the matter before the Government and if they agree with my views on the subject, they may be pleased to issue clear instructions in the matter.

As the elections of Vice Presidents are fast approaching, I request you to kindly expedite the matter and obtain the orders of

Notification.

In exercise of the powers conferred by Sections 18 and 100 (2) (b) of the Mysore District Boards' Regulation, 1926, Government are pleased to direct that the rules issued with notification No. L. 4586/L.B. 25-26-36 dated the 17th January 1927, as amended from time to time, for regulating the election of Presidents and Vice-Presidents of District Boards be modified as follows:-

(1) The following shall be substituted for rules 3 and 4 of the said rules:-

"3. (1) The Deputy Commissioner ~~who is the President under Section 17 (2) of the Regulation~~ when there is no President and the President in other cases, shall fix a date for the election of a Vice-President, if the District Board have resolved to have an elected Vice-President or to fill up an existing vacancy in the office of the Vice-President and shall give notice thereof to each member of the Board at least 10 days before the said date.

date.

(2) The date of the election shall not ordinarily be later than one month from the date of the receipt of such resolution.

4. The members present shall, if the President be absent, select for the purpose of presiding at the meeting one from among themselves who is not likely to be a candidate for the office of the President or Vice-President as the case may be."

2. ~~(2)~~ In the second sentence of rule 9 of the said rules, the words " by the Deputy Commissioner " shall be omitted.

By order,

8/7/33

General Secretary to Govt.

To

The Compiler, Mysore Gazette for publication in the Gazette with a request that 100 copies may be sent to the Secretariat and 50 copies to each of the Presidents of District Boards.